IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR No. 6745 of 2006
Date of Decision: 18.12.2006

Gurcharan Singh ...Petitioner

Versus

Mukhtiar Singh ....Respondents

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri Jasbir Singh, Advocate, for the petitioner.

HEMANT GUPTA, J.

The defendant is in revision petition aggrieved against the order passed by the learned trial Court on 12.4.2006, whereby an application filed by the defendant for amendment of the written statement was declined.

Though the petitioner has obtained certified copy of the order on 24.4.2006, but still the petitioner has approached this Court by way of revision to challenge the said order after almost 8 months. The revision petition is grossly delayed.

Even otherwise, I do not find any patent illegality or irregularity in the impugned order passed by the learned trial Court, whereby the application filed by the petitioner for amendment of the written statement was declined. Earlier the petitioner has pleaded that the that the pronote and the receipt are forged and fabricated documents and without consideration, whereas by virtue of the amendment, the petitioner wants to plead that blank signed pronote and receipt available with one Darshan Lal,

Commission Agent, have been used by the plaintiff for the purposes of the present suit. The said stand of the petitioner is contradictory to the plea raised by the defendant in the the earlier written statement. In fact, the said stand shows the falsity of the claim of the petitioner. In fact, the said stand is only to delay the proceedings of the suit and lacks bona-fide.

In view of the above, I do not find any patent illegality or irregularity in the impugned order passed by the learned trial Court, which may warrant interference by this Court in exercise of its revisional jurisdiction.

Hence, the present petition is dismissed.

18-12-2006 (HEMANT GUPTA)
ds JUDGE